

SHB 2695 - S COMM AMD

By Committee on Government Operations & Elections

ADOPTED 03/03/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 29A.60.165 and 2005 c 243 s 8 are each amended to
4 read as follows:

5 (1) If the voter neglects to sign the outside envelope of an
6 absentee or provisional ballot, the auditor shall notify the voter by
7 ~~((telephone))~~ first class mail and advise the voter of the correct
8 procedures for completing the unsigned affidavit. ~~((If the auditor is
9 not able to provide the information personally to the voter by
10 telephone, then the voter must be contacted by first class mail and
11 advised of the correct procedures for completing the unsigned
12 affidavit. Leaving a voice mail message for the voter is not to be
13 considered as personally contacting the voter.))~~ If the absentee
14 ballot is received within three business days of the final meeting of
15 the canvassing board, or the voter has been notified by first class
16 mail and has not responded at least three business days before the
17 final meeting of the canvassing board, then the auditor shall attempt
18 to notify the voter by telephone, using the voter registration record
19 information. In order for the ballot to be counted, the voter must
20 either:

21 (a) Appear in person and sign the envelope no later than the day
22 before the certification of the primary or election; or

23 (b) Sign a copy of the envelope provided by the auditor, and return
24 it to the auditor no later than the day before the certification of the
25 primary or election.

26 (2)(a) If the handwriting of the signature on an absentee or
27 provisional ballot envelope is not the same as the handwriting of the
28 signature on the registration file, the auditor shall notify the voter
29 by ~~((telephone))~~ first class mail, enclosing a voter registration form,
30 and advise the voter of the correct procedures for updating his or her

1 signature on the voter registration file. (~~If the auditor is not able~~
2 ~~to provide the information personally to the voter by telephone, then~~
3 ~~the voter must be contacted by first class mail and advised of the~~
4 ~~correct procedures for completing the unsigned affidavit. Leaving a~~
5 ~~voice mail message for the voter is not to be considered as personally~~
6 ~~contacting the voter.)) If the absentee ballot is received within
7 three business days of the final meeting of the canvassing board, or
8 the voter has been notified by first class mail and has not responded
9 at least three business days before the final meeting of the canvassing
10 board, then the auditor shall attempt to notify the voter by telephone,
11 using the voter registration record information. In order for the
12 ballot to be counted, the voter must (~~either:~~
13 ~~(i) Appear in person and sign~~) provide a new registration form no
14 later than the day before the certification of the primary or
15 election(~~;~~ ~~or~~
16 ~~(ii) Sign a copy of the affidavit provided by the auditor and~~
17 ~~return it to the auditor no later than the day before the certification~~
18 ~~of the primary or election. If the signature on the copy of the~~
19 ~~affidavit does not match the signature on file, the voter must appear~~
20 ~~in person and sign a new registration form no later than the day before~~
21 ~~the certification of the primary or election in order for the ballot to~~
22 ~~be counted~~)).
23 (b) If the signature on an absentee or provisional ballot envelope
24 is not the same as the signature on the registration file because the
25 name is different, the ballot may be counted as long as the handwriting
26 is clearly the same. The auditor shall send the voter a change-of-name
27 form under RCW 29A.08.440 and direct the voter to complete the form.
28 (c) If the signature on an absentee or provisional ballot envelope
29 is not the same as the signature on the registration file because the
30 voter used initials or a common nickname, the ballot may be counted as
31 long as the surname and handwriting are clearly the same.
32 (3) A voter may not cure a missing or mismatched signature for
33 purposes of counting the ballot in a recount.
34 (4) A record must be kept of all ballots with missing and
35 mismatched signatures. The record must contain the date on which the
36 voter was contacted or the notice was mailed, as well as the date on
37 which the voter signed the envelope, a copy of the envelope, a new~~

1 registration form, or a change-of-name form. That record is a public
2 record under chapter 42.17 RCW and may be disclosed to interested
3 parties on written request."

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4 On page 1, line 2 of the title, after "requirements;" strike the
5 remainder of the title and insert "and amending RCW 29A.60.165."

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